

BENJAMIN SACHS

Department of Bioethics
National Institutes of Health
10 Center Drive, Room 1C118
Bethesda, MD 20892

(301) 435-8715
(202) 253-3195
sachsben@cc.nih.gov

CURRENT POSITION

Post-doctoral Fellow, Department of Bioethics, National Institutes of Health

EDUCATION

Dec. 2006: Ph.D. in Philosophy, University of Wisconsin-Madison
Dissertation Committee: Russ Shafer-Landau, Chair; Daniel Hausman,
Robert Streiffer, Lester Hunt, Norman Fost, committee members

May 2001: B.A. in Philosophy, University of Illinois at Urbana-Champaign
Graduation with Departmental Honors

AOS

Ethics, Bioethics, Social & Political Philosophy

AOC

Business Ethics, Environmental Ethics

PUBLICATIONS

‘Reasons and Requirements’

Ethical Theory and Moral Practice 11:1 (February 2008): 73-83

‘The Liberty Principle and Universal Health Care’

The Kennedy Institute of Ethics Journal 18:2 (June 2008): 149-72

‘Extortion and the Ethics of “Topping Up”,’ pp. 4

Forthcoming in *The Cambridge Quarterly of Healthcare Ethics*

‘Consequentialism’s Double-Edged Sword,’ pp. 18

Forthcoming in *Utilitas*

PAPERS UNDER CONSIDERATION

‘Reasons Incomparability,’ pp. 23

Under review at *Canadian Journal of Philosophy*

‘The Exceptional Ethics of the Investigator-Subject Relationship,’ pp. 22

Under review at *The Journal of Medicine & Philosophy*

‘Going from Principles to Rules in Research Ethics,’ pp. 22

Under review at *Bioethics*

PAPERS GIVEN

“Doing Without Moral Status”

APA Pacific Division Meeting, Main Program, April 2009

“A Paradox of Practical Rationality”

Rocky Mountain Ethics Congress, August 2008

“Can Consequentialization Advance the Cause of Consequentialism?”

Conference of the International Society for Utilitarian Studies, September 2008

Annual Meeting of the Wisconsin Philosophical Association, April 2008

“Problems of Currency and Scope in the Equality of Opportunity Argument for Universal Health Care”

APA Eastern Division Meeting, Main Program, December 2008

Conference on Value Inquiry, April 2008

“Teleology and Deontology in Distributive Justice”

APA Pacific Division Meeting, Main Program, April 2007

“Should we Limit PGD Use to the Avoidance of Severe Disabilities?”

Conference on Value Inquiry, April 2006

“Can There Be Reasons that Don’t Require?”

APA Pacific Division Meeting, Main Program, March 2006

“The ‘You’ll Thank Me Later’ Defense of Paternalism”

Conference on Value Inquiry, April 2005

“Is There Any Real Difference Between Error Theory and Relativism?”

APA Central Division Meeting, Main Program, April 2005

Conference on Value Inquiry, April 2004

“Luck Egalitarianism and the Equal Moral Worth of Persons”

Annual Meeting of the Wisconsin Philosophical Association, April 2004

“Health Resource Allocation in a Rawlsian Framework”

APA Central Division Meeting, Main Program, April 2004

Conference on Value Inquiry, April 2003

PRESENTATIONS GIVEN

“Ethical Issues Surrounding Human Subjects Research: Past, Present and Future”

Winter Meeting of the Virginia Society of Research Administrators, January 2009

“Dr. Watson or How I Learned to Stop Worrying about Moral Status and Love Posthumans”

Annual Meeting of the American Society for Bioethics and the Humanities,
October 2008

HONORS

Outstanding Graduate Student Paper Prize, 2006 APA Pacific Division Annual Meeting

TEACHING—FULL RESPONSIBILITY

Human Nature (2x Marquette University)

Free will, the mind-body problem, rationalism/empiricism, reason and the emotions, political liberalism

Reason in Communication (2x University of Wisconsin-Madison)

Informal and formal logic (including categorical, deductive, and inductive logic), fallacies and rhetorical devices, arguments in legal, moral, and scientific contexts.

Contemporary Moral Issues (3x University of Wisconsin-Madison)

Death penalty, steroids in sports, illegal immigration, affirmative action, the environment and future generations, biotechnology and world hunger, cloning and research on the fetus, health resource allocation, just war theory, property rights, shareholder and stakeholder theories of the corporation, persuasive advertising, exploitation, bribery, business bluffing.

TEACHING—TEACHING ASSISTANT (all at University of Wisconsin-Madison)

Contemporary Moral Issues (Lester Hunt)

Pornography, hate speech, economic justice, world hunger, discrimination and preferential treatment, abortion, euthanasia and assisted suicide, drug legalization, handgun ownership.

Contemporary Moral Issues (Paul Dunn)

Drug legalization, terrorism, torture.

Philosophy of Religion (Keith Yandell)

Various a priori arguments for and against the existence of God, the problem of evil, the argument from religious experience.

Environmental Ethics (Alan Rubel)

Moral standing of non-human life, genetic engineering of animals, mandatory labeling of genetically engineered foods, biocentrism, ecocentrism.

Introduction to Philosophy (John Koolage)

Methodology, value theory, political philosophy, epistemology, philosophy of religion, free will, normative ethics. (University of Wisconsin-Madison)

BIOETHICS EXPERIENCE

Research Assistantship with Norm Fost, Professor of Pediatrics and Bioethics, 2003-04

Project Assistantship with the University of Wisconsin Human Subjects Institutional Review Board (IRB), 2003

SERVICE

Referee, *Journal of Medical Ethics*, 2008-

Session Chair, 2008 Conference on Value Inquiry
“Ethical Issues in Developing Nations”

Session Chair, 2006 APA Central Division Meeting
Colloquium Presentation by Cynthia A. Schossberger: “Moral Worth and
Common Sense: Kant’s Use of Example”

President, UW-Madison Philosophy Department Graduate Student Association, 2002-3

GRADUATE COURSES TAKEN

Courses taken in Value Theory

Aristotle’s Ethics (Gottlieb)
The Moving Image (Carroll)
Metaethics (Shafer-Landau)
New Works in Metaethics (Shafer-Landau)
Ethics and the Law (Hunt)
Issues in Metaethics (Shafer-Landau)

Courses taken in Social & Political Philosophy

Rawls (Streiffer)
Liberalism and the Family (Brighouse)
Equality (Brighouse)*
Liberty (Hunt)
Mill (Hausman)*

Courses taken in Bioethics

Health Resource Allocation (Hausman)
Determinants of Population Health (University of Wisconsin Medical School)
Bioethics and the Law (University of Wisconsin Law School)
Ethical and Regulatory Issues in Clinical Investigation (University of Wisconsin Medical School)

Courses taken in the History of Philosophy

Hume (Enc)
Spinoza (Nadler)

Other

Self-Knowledge (Gertler)

* denotes audited class

REFERENCES

Alan Wertheimer

Senior Research Scholar
Dept. of Bioethics
National Institutes of Health
Building 10 Room 1C118
10 Center Drive
Bethesda, MD 20892

301.435.8729

wertheimera@cc.nih.gov

Russ Shafer-Landau

Professor of Philosophy
Dept. of Philosophy
University of Wisconsin
600 N. Park St.
Madison, WI 53706

608.263.3727

shaferlandau@wisc.edu

Daniel Hausman

Herbert Simon Professor of Philosophy
Dept. of Philosophy
University of Wisconsin
600 N. Park St.
Madison, WI 53706

608.263.5178

dhausman@wisc.edu

Robert Streiffer

Associate Professor of Philosophy
Dept. of Philosophy
University of Wisconsin
600 N. Park St.
Madison, WI 53706

608.263.9479

rstreiffer@wisc.edu

James Anderson

Faculty Associate
Dept. of Philosophy
University of Wisconsin
600 N. Park St.
Madison, WI 53706

608.263.7599

jcander1@wisc.edu

CURRENT RESEARCH PROJECTS

Since beginning my fellowship at the National Institutes of Health I have taken up three lines of research, each of which is an attempt to apply theoretical work in metaethics or political philosophy to a bioethical issue, with the hopeful outcome of bringing a much-needed rigor to the discipline.

One such project is concerned with moral status. Nearly everyone who writes on the ethics of marginal cases—the question of how we morally ought to treat individuals who are significantly more or less psychologically sophisticated than normal adult humans—uses the term or one of its cognates, yet very little has been said about the metaphysics of moral status. There are dozens of extant theories about the criteria for having moral status, but not one on *what moral status is*. My suspicion is that we could make quicker, better progress on the ethics of marginal cases if we cut “moral status” out of our parlance altogether. In “Dr. Watson or How I Learned to Stop Worrying about Moral Status and Love Posthumans,” which I presented at the annual meeting of the American Society for Bioethics and the Humanities this fall, I offer a general overview of this approach and apply it to the question of how psychologically superior beings would be morally permitted to treat us. I followed up on this initial effort by writing a paper, which I will present at the 2009 Pacific APA, in which I attempt to establish a theoretical basis for the approach. I argue that all the properties to which “moral status” might reasonably be thought to refer are either non-existent or already have a name. Further, I concede that ascriptions of moral status might be meaningful even if “moral status” refers to nothing, but I contend that there is nothing we can convey with this phrase that we cannot convey more clearly without it.

The target of my next undertaking is the equality of opportunity-based argument for universal health care. In “The Liberty Principle and Universal Health Care” (already published) I argue that the classic versions of this argument fail to show how disease and disability are sufficiently different from other disadvantageous conditions, such as being short or ugly, such that there is an obligation on the part of society to remedy them or at least prevent them from affecting opportunity level. With the 2007 publication of Norman Daniels’s *Just Health*, however, the argument has been bolstered by renewed attention to the socioeconomic determinants of health. This line of epidemiological research seems to show that the structure of society itself explains much of the distribution of illness, which is all to the good for the equality of opportunity argument. Even so, I argue in “Problems of Currency and Scope in the Equality of Opportunity Argument for Universal Health Care,” the argument still has problems. Those who invoke the argument, I maintain, have not paid sufficient attention to the intricacies of principles of equality of opportunity. I argue that the most likely ways of filling out the details of the principle so that it justifies public provision of health care either undermine the principle’s plausibility or manage to justify such provision only for children. This essay, a short piece that I will be presenting at the 2008 Eastern APA, is a precursor to a more comprehensive paper I am planning in which I map the logical space for principles of equality of opportunity as they relate to universal health care.

I am also in the midst of a project on the ethics of research on human subjects. This area of bioethics is characterized by an unusually robust consensus over a wide range of principles and rules, which are enunciated in a set of canonical pronouncements such as the Nuremberg Code. Yet I am convinced that the pronouncements are much too strict, and that, because the bodies that have the power to approve or disapprove of research projects (Institutional Review Boards) take them as gospel, medical researchers are being prevented from doing various things that are in fact ethically unobjectionable. My attack, which focuses on six of the rules, is three-pronged. In “The Exceptional Ethics of the Investigator-Subject Relationship,” I point out that the practices that the rules prevent researchers from engaging in, such as paying people to take risks with their health, are ones that are widely considered unproblematic when other people, such as employers, engage in them. In “Going from Principles to Rules in Research Ethics” I argue that the rules do not in fact follow from the principles that are taken to be canonical in research ethics, and that the tendency to believe otherwise is based largely on a misunderstanding of key ethical concepts such as coercion and exploitation. Finally, I am presently writing a paper whose main assertion is that while there are valid points to be made favor of restricting researchers’ behavior in the ways that the rules do, these points are matters of policy, not ethics.